

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

BALDASSARRE PINTI  
aka BUDDY PINTI,

Debtor.

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Bankruptcy Court  
Case No. 06-35230-CGM  
(Chapter 13)

FORD MOTOR CREDIT COMPANY,  
  
Appellant,

District Court  
Civil Docket  
Case No. 7:07-cv-02848- SCR

-against-

BALDASSARRE PINTI  
a/k/a BUDDY PINTI,

Appellee.

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**AGREEMENT TO DISMISS APPEAL**

Appellant, Ford Motor Credit Company ("Ford Credit") and Appellee, Baldassarre Pinti a/k/a Buddy Pinti ("Debtor"), by their counsel designated below, hereby stipulate to dismiss the appeal made to this Court on March 23, 2007 by Ford Credit pursuant to Fed. R. Appellate P. 42(b) and Fed R. Bankr. P. Rule 8001(c)(2) and the U.S. Const., Art III, U.S. § 2.

Ford Credit's appeal was from the March 15, 2007, Order of the Bankruptcy Court denying Appellant's Objection to Confirmation of Debtor's Amended Chapter 13 Plan pursuant to 28 U.S.C. § 158 (a).

The issues presented as basis for the appeal have become moot due to debtor's conversion from a Chapter 13 plan to a Chapter 7 liquidation and the subsequent discharge of debts in the bankruptcy case.

Dismissal of the appeal will not prejudice any other party to this case. All costs and fees due have been paid.

Respectfully Submitted by:

Dated : July 22, 2008

Ford Motor Credit Company (Appellant)

/s/ Martin A. Mooney

Attorneys: Martin A. Mooney, Esq.  
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Dated: July 18, 2008

Baldassarre Pinti aka Buddy Pinti  
(Appellee)

/s/ Andrea B. Malin

Attorney: Andrea B. Malin, Esq.  
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Hampton Business Center  
1136 Route 9  
Wappingers Falls, NY 12590  
Tel. (845) 298-1600

**DISMISSAL OF APPEAL IS SO ORDERED:**

\_\_\_\_\_  
United States District Judge

Dated : \_\_\_\_\_, 2008